

PATENT  
CASE CN01383K

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

-----X  
Re Application of:  
John A. Hey, et al

For Patent For:  
Use of Dual H<sub>3</sub>/M<sub>2</sub> Antagonists in the  
Treatment of Cognition Deficit Disorders

Examiner: San-ming Hui

Art Unit: 1617

Serial No.: 10/072,340

Filing Date: February 6, 2002

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Schering-Plough Corporation  
Kenilworth, New Jersey 07033-0530

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

This statement is made in compliance with 37 C.F.R. 1.56, 1.97 and 1.98.

Applicants enclose a Form PTO-1449 (1 page) listing additional publications known to applicants that may be relevant to this application.

This statement is submitted more than three months after filing the application, and after an action on the merits has been received. A form authorizing payment of the necessary fees accompanies this statement.

Publications BA and BQ-BX were cited in the International Search Report of corresponding application PCT/US02/03975, filed February 6, 2002, published as WO 02/072093 on February 19, 2002. Copies of all cited references are provided.

Reference BX is in Japanese, but an English abstract appears at the end of the publication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450, on  
December 16, 2003

**Anita W. Magatti**  
Registered Representative

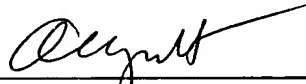
Signature

Date

The examiner is requested to examine the publications, to initial the form PTO-1449 and to return a copy of the initialed form to applicants.

Also cited in the Search Report was WO 98/05292, equivalent to previously cited publications AJ and AK, as well as US 5,990,147, previously cited as publication AG.

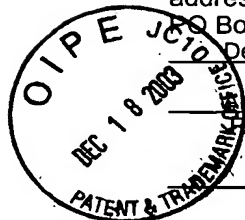
Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Anita W. Magatti', written over a horizontal line.

Anita W. Magatti  
Reg. No. 29,825  
Attorney for Applicants  
(908) 298-5067

41

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December 16, 2003



\_\_\_\_\_  
Nita W. Magatti  
Registered Representative

\_\_\_\_\_  
Signature

\_\_\_\_\_  
December 16, 2003  
Date of Signature

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Alexandria VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. 1.97(c) OR (d)**

Sir:

37 C.F.R. 1.97(c)

1.a. ☒ The information disclosure statement transmitted herewith is being filed after three months  
of the filing date of this national application or the date of entry of the national stage as set  
forth in § 1.491 in an international application or after the mailing date of the first Office  
Action on the merits, whichever event occurred last, but before the mailing date of either:

- (1) a final action under § 1.113, or
- (2) a notice of allowance under § 1.311, whichever occurs first.

1.b. ☐ This statement is accompanied by the certification set forth below. OR

1.c. ☒ Applicant(s) elect to pay the fee of \$180.00 for the submission of this information  
disclosure statement.

12/19/2003 SDENBOB1 00000006 190365 10072340

01 FC:1806

180.00 DA

37 C.F.R. 1.97(d)

- 2.a. ☐ The information disclosure statement transmitted herewith is being filed after a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.
- 2.b. ☐ This statement is accompanied by the certification set forth below. AND
- 2.c. ☐ Applicant(s) hereby petition for the consideration of the accompanying information disclosure statement. AND
- 2.d. ☐ The fee for this petition is \$130.00.

METHOD OF PAYMENT

- 3.a. ☒ Charge \$ 180.00 to Deposit Account No. 19-0365.
- 3.b. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0365. (in duplicate)

CERTIFICATION

4. ☐ I, the person signing below, hereby certify
- ☐ that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of the statement.

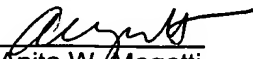
\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

SCHERING-PLOUGH CORPORATION  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, New Jersey 07033-0530  
Date: December 16, 2003

Respectfully submitted,

  
Anita W. Magatti  
Attorney/Agent for Applicant(s)  
Registration No.: 29,825  
Telephone No.: (908) 298-5067

Sheet 1 of 1

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO.: CN01383K	APPLICATION NO.: 10/072,340
	APPLICANT: John A. Hey, et al.	
	FILING DATE: 2/6/2002	GROUP: 1617

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	BA	2,624,734	1/6/1953	Moses Wolf Goldberg et al.			
	BB						
	BC						
	BD						
	BE						
	BF						
	BG						
	BH						
	BI						
	BJ						
	BK						

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## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	BL							
	BM							
	BN							
	BO							
	BP							

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	BQ	Craig D. Boyle <i>et al.</i> , Bioorganic & Medicinal Chemistry Letters, <b>10</b> pp. 2727-2730 (2000)
	BR	Stephen L. Yates <i>et al.</i> , The Journal of Pharmacology & Experimental Therapeutics, <b>289</b> (2), pp.1151-1159 (1999)
	BS	X. Ligneau <i>et al.</i> , The Journal of Pharmacology & Experimental Therapeutics <b>287</b> , (2) pp. 658-666 (1998)
	BT	Rob Leurs <i>et al.</i> , Elsevier Science Ltd., <b>19</b> , pp. 177-184 (1998)
	BU	Maria Grazia Giovannini <i>et al.</i> , Behavioural Brain Research <b>104</b> , pp. 147-155 (1999)
	BV	Susan R. McGurk, Ph.D., J. Clin Psychiatry <b>60</b> (suppl 12), pp 24-29 (1999)
	BW	Nita Nacasch <i>et al.</i> , Clinical Neuropharmacology, <b>21</b> , (2) pp. 132-134 (1998)
	BX	Folia Pharmacol. Jpn., <b>114</b> , pp. 89-106 (1999) – XP008021117
	BY	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.